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8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 SACRAMENTO DIVISION

12
13 **REX CHAPPELL,**

2:04-cv-1183 TLN DB P

14 Plaintiff,

15 v.

**STIPULATION TO EXTEND TIME FOR
DEFENDANTS TO FILE THEIR
PRETRIAL STATEMENT AND
OPPOSITION TO THE ATTENDANCE
OF INCARCERATED WITNESSES FOR
TRIAL; PROPOSED ORDER**

16 **C. K. PLILER, et al.,**

17 Defendants.

19
20 **STIPULATION**

21 The parties to this action stipulate, and seek court approval of their stipulation, to modify
22 the scheduling order to allow Defendants to file a pretrial statement and opposition to the
23 attendance of incarcerated witnesses for trial no later than November 17, 2017. The stipulation is
24 necessary because counsel for Defendants is currently assigned full-time to the matter of
25 *Coleman, et al., v. Brown, et al.*, Case No. 2:90-cv-00522-KJM-KJN.

26 *Coleman, et al., v. Brown, et al.*, is a long-running class action concerning mental-health
27 care for California state prison inmates, in the remedial stage. A contempt hearing was set for
28 November 3, 2017, for consideration of findings of contempt and consideration of sanctions for

1 non-compliance with court directives that may have accumulated between May 16, 2017, and the
2 November hearing. (ECF No. 5610 at 11.) Counsel for Defendants was assigned to assist the
3 team of attorneys assigned to Coleman to prepare for the November 3, 2017 hearing. The hearing
4 was vacated, to be rescheduled at a later date. (ECF No. 5720.) Although the November 3
5 hearing is currently off calendar, defendants anticipate that the matter will be re-set and the
6 evidence will need to be presented. A November 9, 2017 deadline was set for completion of the
7 work assigned including, finalizing record reviews and preserving witness testimony so that the
8 *Coleman* defendants are prepared to proceed when the court places the matter back on its
9 calendar. However, counsel for Defendants in this matter did not receive a complete set of
10 medical records for the *Coleman* project until November 7, 2017, therefore, time for completion
11 of the *Coleman* project was extended.

12 Accordingly, the parties, through their respective counsel of record, stipulate that the
13 deadline for Defendants Pliler, Rosario, Stiles, Goughnour and Vance to file their pretrial
14 statement and an opposition to the attendance of incarcerated witnesses for trial shall be extended
15 to November 17, 2017.

16 **IT IS SO STIPULATED:**

17 Dated: November 13, 2017

/s/ Matthew Strugar

Matthew Strugar
Attorney for Plaintiff Rex Chappell

20 Dated: November 13, 2017

/s/ Kelli M. Hammond

Kelli M. Hammond
Deputy Attorney General
*Attorney for Defendants Pliler, Goughnour,
Rosario, Stiles, and Vance*

23 **IT IS SO ORDERED.**

25 DATED: November 13, 2017

27 /s/ DEBORAH BARNES

UNITED STATES MAGISTRATE JUDGE